

### REMARKS

A check for \$1240 for the fees for filing of an RCE (\$790) and for the fee for a two-month extension of time (\$450) accompanies this response. Any fees that may be due in connection with this paper or with this application during its pendency may be charged to Deposit Account No. 06-1050. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Claims 1, 3-8, 10-12, 14-32, 34 and 35 are currently pending in this application. Claims 1 and 32 are amended herein.

Claim 1 is amended to more particularly define the weight ratio of the hydrodynamic fluid-imbibing polymer to the hydrostatic pressure modulating agent. Basis for the recited range of weight ratios is provided, for example, at page 5, lines 20-22, which specifies that the weight ratio of hydrodynamic fluid imbibing polymer (A) to hydrostatic pressure modulating agent (B) is from about 1:1 to about 99:1 by weight, and at page 5, lines 11-19, where it is indicated that the hydrodynamic fluid imbibing polymer is present in an amount of about 4 weight % and hydrostatic pressure modulating agent is present in an amount of about 1 weight %, such that the ratio of A to B is about 4:1.

Claim 32 is amended to correct an obvious typographical error by correcting the spelling of the term "suspendable."

Claim 36 is added herein, basis for which is found throughout the specification (for example, see page 5, lines 9-22 and page 22, lines 9-12).

No new matter is added.

### **THE REJECTION OF CLAIMS 1, 3-8, 10-12, 14-32, 34 AND 35 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH**

Claims 1, 3-8, 10-12, 14-32, 34 and 35 are rejected under 35 U.S.C. § 112, first paragraph as allegedly containing new matter. The Examiner alleges that recitation "the weight ratio of said one, or more than one hydrodynamic fluid-imbibing polymer to said one, or more than one hydrostatic pressure modulating agent is from about 35:1 to about 170:1" in claim 1 introduces new matter.

Applicant respectfully submits that the amendment of claim 1 herein obviates this rejection. Claim 1 specifies that the weight ratio of the one, or more than one hydrodynamic fluid-imbibing polymer to the one, or more than one hydrostatic pressure modulating agent is from about 4:1 to about 99:1.

Applicant : Alexander MacGregor  
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**PRELIMINARY AMENDMENT AND RCE**

### FORMALITIES

The Examiner suggests that the recitation "one, or more than one" in the claims be replaced with the recitation "at least one," basis for which can be found throughout the specification (for example, see page 5, lines 10-11).

Applicant has considered the Examiner's suggestion but would prefer to retain the former expression in the claims for the sake of clarity.

\* \* \*

It is respectfully submitted that the above-identified application is now in a condition for allowance and favorable reconsideration and prompt allowance of these claims are respectfully requested. Should the Examiner believe that anything further is desirable in order to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

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Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17175-002001 (176)  
**Address all correspondence to:**  
Stephanie Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (202) 626-7796  
email: seidman@fr.com